

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

**M E M O R A N D U M**

Honorable Kimberly J. Mueller  
United States Magistrate Judge  
Sacramento, California

**RE: Maria Luz HERNANDEZ  
Docket Number: 2:03CR00081-08  
REQUEST TO DISMISS PETITION**

Your Honor:

A Petition was filed on May 4, 2005, alleging the offender had submitted positive urine samples for Methamphetamine, had failed to participate satisfactorily in drug testing and counseling as directed, and failed to follow the directives of the probation officer. On July 14, 2006, the offender was allowed to enter a residential drug treatment program with the understanding that if she completed the program successfully, it would be requested the violation Petition be dismissed.

On July 27, 2005, the offender was admitted to New Directions Residential Drug Program, Stockton, California. On January 3, 2006, the offender successfully completed the program. Staff at New Directions reported the offender made an excellent adjustment while at the program. The offender applied and was accepted to New Directions "Advanced Residential Drug Treatment Program." She will, at her own request, be allowed to continue to participate and reside in their advanced drug program, which could last up to one year. The offender has, on numerous occasions, stated to this officer, " I am grateful to you, the Court and, U.S. Attorney, for pushing me to come here. I might be dead if you guys had not insisted I be here."

**Re: Maria Luz HERNANDEZ**  
**Docket Number: 2:03CR00081-08**  
**REQUEST FOR DISMISSAL OF PETITION**

**United States Probation Officer Plan/Justification:**

***It is recommended at this time that the Petition filed on May 4, 2005, be dismissed without prejudice.*** The Court will be apprised of any further violation conduct.

Respectfully submitted,

/s/ Deborah A. Spencer

**DEBORAH A. SPENCER**  
**Supervising United States Probation Officer**

Dated: February 23, 2006  
Sacramento, California  
DAS:kms

The court approves and IT IS SO ORDERED.

Dated: February 23, 2006.

  
UNITED STATES MAGISTRATE JUDGE

cc: Mary L. Grad  
Assistant United States Attorney

Timothy E. Warriner  
Defense Counsel